

**INSTRUCTIONS FOR
NURSERY FLORAL CERTIFICATE APPLICATION
FORM NO. RNF-500**

In order to obtain a Nursery Floral License, you must submit a complete signed application along with the appropriate fees. The license will be issued to the name appearing under Section B of this application. A Nursery and Floral license is required by each business and at each location where nursery products and/or floral items are sold, offered for sale or leased, distributed, grown for the purpose of sale or lease, or offered as an enticement to promote the sales or lease of other items.

SECTION A

1. REGISTRATION INFORMATION

Please check the appropriate box to indicate the type of business classification in which you are applying for.

Class 1 - Allows businesses to sell, lease, or distribute, but not grow nursery products and/or floral items such as garden centers, stores, landscape contractors, floral shops, interior decorators, and street vendors. Class 1 certificate holders may obtain up to ten event permits at no additional cost to sell, lease, or distribute nursery floral products and/or floral items at trade shows, garden shows, or other horticultural exhibits.

Class 2 – Allows permanently located businesses to sell, lease or distribute, nursery products and/or floral items and have a growing area of 435,600 square feet (ten acres) or less. Class 2 certificate holders may obtain up to ten event permits at no additional cost to sell, lease, or distribute nursery floral products and/or floral items at trade shows, garden shows, or other horticultural exhibits.

Class 3 – Allows permanently located businesses to sell, lease or distribute, nursery products and/or floral items and have a growing area of 435,601 – 871,200 square feet (in excess of ten acres to twenty acres). Class 3 certificate holders may obtain up to ten event permits at no additional cost to sell, lease, or distribute nursery floral products and/or floral items at trade shows, garden shows, or other horticultural exhibits.

Class 4 – Allows permanently located businesses to sell, lease or distribute, nursery products and/or floral items and have a growing area 871,201 square feet (over twenty acres). Class 4 certificate holders may obtain up to ten event permits at no additional cost to sell, lease, or distribute nursery floral products and/or floral items at trade shows, garden shows, or other horticultural exhibits.

Class M – Allows business to sell, lease, or distribute nursery products and/or floral items at temporary markets such as flea markets, arts and crafts shows, plant or flower shows, or other temporary markets. Class M registrants must obtain an event permit for each day nursery products and/or floral items are sold. A Class M license consists of thirty event permits.

An event permit is required for sale or distribution of nursery products or floral items at a temporary location as indicated above under each certificate type. One event permit equals one day (or any portion of a 24 hour period) of operation at one location.

Ten (10) Event Permits may be obtained with each Class 1 – 4 license issued at no additional cost. Additional event permits may be purchased in blocks of 10 permits at a cost of \$50 per block. Please refer to the Nursery Floral Event Permit Block Purchase form and instructions for more information.

SECTION B

1. TYPE OF APPLICATION

Check the box that identifies the application type. A new business application is an application for a business that has not held a TDA license or is a recently established business. A change of ownership application is an application where a business has been acquired from a previous owner or is an established business changing type (see below). If the most recent license account number is known please indicate in space provided.

2. BUSINESS TYPE

Check the box that identifies your type of business. Once submitted, this information cannot be changed. If you have to change in your business type, a new application will be required.

3. CLIENT INFORMATION

This information will be used to generate your license. Enter the full legal business name as it is registered. If applicable, also enter a Doing-Business-As (DBA) name. For in state businesses (except sole proprietors) a Comptroller Taxpayer ID is required. For out of state businesses and non-profit organizations a Federal ID is required.

For sole proprietors applying for this occupational license, a social security number is mandatory and required by Texas Family Code § 231.302. Social security numbers are required to assist in child support enforcement. In the event the applicant does not have a social security number, an affidavit of no social security number (form OGC-001) must be attached and a driver license number or state-issued ID number provided. This form is available on our website www.agr.state.tx.us or by mail. Failure to provide a social security number or an affidavit of no social security number will result in rejection of your application and a license will not be issued to you.

SECTION C

1. RESPONSIBLE PERSON INSTRUCTIONS (see form)

2. RESPONSIBLE OFFICER, PARTNER, MANAGER, OR OWNER

Indicate name of person responsible for the business. Enter contact information.

3. RESPONSIBLE PERSON MAILING ADDRESS

Enter mailing address for indicated responsible person. If a web address is available for company please provide (optional).

NOTE: The Person to Contact, named by the business in Section C of this form, is the preferred signatory of this application. That person may be the Responsible Person.

SECTION D

1. PERSON TO CONTACT FOR LICENSE-RELATED MATTERS

Enter the name of a designated person, along with that person's contact information, who can discuss and answer questions about license-related issues.

SECTION D cont.

NOTE: The Person to Contact, named by the business, is the preferred signatory of this application. That person may be the Responsible Person.

All correspondence, licenses, and other documents will be sent to the Person to Contact at the mailing address listed below. If an e-mail address is listed, and e-mail is indicated as the preferred contact method, correspondence will be sent via e-mail.

In addition, the contact employee will receive, through regular mail, a login ID and password to access TDA's internet website. The contact employee will then be able to conduct business related to their assigned license(s) online, including viewing their licenses, making changes to their company information, and renewing their licenses. A business can appoint one contact person to manage online all of the company's licenses.

2. MAILING ADDRESS

Enter the address at which the Person to Contact receives general correspondence

SECTION E

1. FACILITY INFORMATION

Enter facility name.

2. PHYSICAL ADDRESS OF LOCATION OF LICENSEE, LICENSED ACTIVITIES or EQUIPMENT

Enter the actual physical street address of the licensee, licensed activities or the equipment, including directions to this location if the address is difficult to locate. Please do not enter a P.O. Box. This information will assist TDA inspectors in locating your business in the event that an inspection is needed

SECTION F

1. OUT-OF-STATE APPLICANTS ONLY

Check either the Texas Secretary of State or the "Other" box and enter the resident agent's contact information. Only fill out the Resident Agent contact information if the Texas Secretary of State box is not checked. If the address provided in section C is out of state, agent information is required before a license can be issued.

SECTION G

1. PAYMENT

NOTE: Texas Department of Agriculture accepts only checks, cashier's checks, or money orders. Certificates and fees are NOT transferable.

Class 1 license fee is \$75.00

Class 2 license fee is \$110.00

Class 3 license fee is \$145.00

Class 4 license fee is \$180.00

Class M license fee is \$180.00

SECTION G cont.

License is valid for one year and shall expire on the last day of the anniversary month. For example, a license effective on November 1, 2005 will expire on November 30, 2006.

Request effective date for license. Check method of payment. Enter check number or money order number. See payment information above. Enter amount remitted.

Please remit to: Texas Department of Agriculture, P.O. Box 12076, Austin, TX. 78711-2076.

Additional Information

Each location is required by law to renew its registration annually by the expiration date. Failure to renew will result in late fees.

Businesses operating with an expired certificate or without registering with the department may be subject to administrative penalties up to \$2,000 for each violation. Each day a violation continues may be considered a separate violation for penalty assessment.

Anyone making false representation for obtaining a certificate may have a certificate revoked and/or may be liable to the State for civil penalty of not less than \$50.00 nor more than \$1,000 for each violation and/or subject to administrative penalties of up to \$2,000 for each violation. Each day a violation continues may be considered a separate violation for purposes of penalty assessment. (Texas Agriculture Code §12.020, 71.055 and 71.059).

To promote Texas agricultural products and services, the Texas Department of Agriculture may publish the names, license types, contact persons, addresses and phone numbers of licensed businesses in written form or on the internet. Under Texas law, TDA may be required to furnish other information contained in our files under the Texas Open Records Act and Chapter 555 of the Texas Government Code.

SECTION H

1. SIGNATURE

After reading the summary, print and sign your name, and date the form. Your signature here indicates that you have read the summary and that you are aware of your responsibilities regarding the issuance of the requested license.

SECTION I

1. CHECKLIST

Check all boxes to verify you have completed the application process and attached/enclosed the necessary items (e.g., payment, documents, labels, etc).

NOTE: Integrated Pest Management Plan

A nursery or greenhouse grower, in cooperation with the Texas Cooperative Extension or research agencies, may develop an Integrated Pest Management Plan (IPM). The plan must be approved by TDA prior to implementation.